UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,161	07/11/2000	Michael D. Kotzin	CS10675	1611

7590 03/13/2003

Motorola Inc
Intellectual Property Dept PJB
600 North US Highway 45 AN475
Libertyville, IL 60048

EXAMINER
CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
2681	

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

N.K.

Office Action Summary	Application No. 09/614,161	Applicant(s) Kotzin
	Examiner Joy Contee	Art Unit 2681

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Mar 3, 2003*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *30-32 and 35-43* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *30-32 and 35-43* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Request for Continued Examination

1. The request filed on March 4, 2003 for a Request for Continued Examination (RCE) under 37 CAR 1.114 based on parent Application No. 09/614/161 is acceptable and a RCE has been established. An action on the RCE follows.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 35 and 36 recite the limitation "as in claim 33" in line 1. There is insufficient antecedent basis for this limitation in the claim.

4. Claim 33 is canceled in the Preliminary Amendment filed by Applicant on 3/4/03. Claims 35 and 36 remain in the application, as they were not canceled in Preliminary Amendment. Thus the claims have not been treated on merit.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 30-32, 37-38 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Vannatta et al. ("Vannatta"), U.S. Patent No. 5,924,044.

Regarding claim 30, Vannatta discloses a cellular telephone comprising:

a battery detachably connectable to the cellular telephone (i.e., module 106) to supply the cellular telephone with power (col. 3, lines 1-12);

a remote power source (i.e., module 108) detachably connectable to the cellular telephone (i.e., module 106), wherein the cellular telephone is adapted to sense when the remote power source is coupled to the cellular telephone, the cellular telephone to alter a cellular telephone capability responsive to sensing the remote power source coupled to the cellular telephone (col. 4, lines 59-67 to col. 5, line 2 and 54-64), whereby the cellular telephone, which communicates data at the first data rate (i.e.,when short data bursts are transmitted, such as in data slot 1100) over an air interface independently of the remote power source, is capable of communicating at a higher data rate (i.e., full duplex voice communication, such as in data slot 1000, wherein normal data bursts are transmitted) only while the remote power source (i.e., module 108) is coupled (col. 5, lines 64-67 to col. 6, line 8 and see Figs. 8-13).

Regarding claim 31, Vannatta also discloses the cellular telephone as in claim 30, wherein the battery is operational to deliver a first predetermined voltage level (e.g., 1.5 volts) to

the cellular telephone (i.e., module 106), the remote power source (i.e., module 108) operational to deliver a second predetermined voltage level (i.e., VPA that is greater than regulated supply voltage V) to the cellular telephone, the second predetermined voltage level greater than the first predetermined voltage level (col. 3, lines 1-12 and col. 5, lines 3-15).

Regarding claim 32, Vannatta further discloses the cellular telephone as in claim 30, wherein the cellular telephone is configured to transmit at a higher average transmit power when the cellular telephone is coupled to the remote power source (col. 5,lines 50-64).

Regarding claim 37, Vannatta discloses a communication assembly, comprising:

a portable wireless communication device (i.e., module 106) including a transceiver for communication data over a wireless link and control circuitry coupled to the transceiver, the control circuitry providing digital data processing to the transceiver sufficient to enable the transceiver to communicate data via the communication link a first data rate (i.e.,when short data bursts are transmitted, such as in data slot 1100); and

an apparatus (i.e., module 108) detachably coupled to the portable wireless communication device, the apparatus including digital circuitry to couple to the control circuitry via a data bus, the digital circuitry processing support for the control circuitry via the data bus when the apparatus is coupled to the portable wireless device, whereby the digital circuitry operates with the control circuitry to provide digital data processing to the transceiver sufficient to enable the transceiver to communicate data via the data link at a second data rate when the

apparatus is connected to the communication device, the second data rate being higher that the first data rate (col.

Regarding claim 38, Vannatta further discloses the communication assembly as defined in claim 37, wherein the control circuitry comprises a first microprocessor.

Regarding claim 40, Vannatta also discloses the communication assembly as defined in claim 37, wherein the apparatus (i.e., module 108) further includes a power source to couple to the communication device (i.e., module 106), the power source providing additional power when the apparatus is coupled to the wireless communication device (col. 5, lines 64-67 to col. 6, line 8 and see Figs. 8-13).

7. Claims 41-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Baker et al. ("Baker"), U.S. Patent No. 6,317,597.

Regarding claim 41, Baker discloses a method of controlling a transceiver in a portable wireless communication device, the method comprising the steps of:

transmitting and receiving data from a wireless communication device in a transceiver (col. 1, lines 8-17);

inherently,data processing information for transmission and reception via the transceiver in a first processing circuitry (i.e., that which is inherently used transferring data in a cellular transceiver) in the wireless communication device when an external apparatus (i.e., modem 102) is not connected to the wireless communication device, the first processing circuitry enabling

data communication via the transceiver at a first data rate (col. 1, lines 44-51 and col. 3, lines 3-17); and

cooperative data processing (i.e., connection between the modem and wireless transceiver) in both the first processing circuitry and a second processing circuitry in an external apparatus (i.e., modem) information for transmission and reception via the transceiver when the external apparatus including the second processing circuitry is coupled to the communication device, the co-processing (i.e., the connection) enabling data communication via the transceiver at a second data rate higher than the first data rate (col. 7, line 59 to col. 8, line 17).

Regarding claim 42, Baker further discloses the method as defined in claim 41, wherein said step of cooperative processing (i.e., the connection) comprises sharing in the first processing circuitry and the second processing circuitry at least one of coding and decoding of the signals communicated to on the communication link when the external apparatus is coupled to the wireless communication device (see Fig. 3 and col. 7, line 54-65).

Regarding claim 43, Baker is also evidence of the method as defined in claim 41, wherein said step of cooperative processing (i.e., the connection) comprises the first processing circuitry providing Internet protocol (i.e., for direct Internet access)information to the second digital processing circuitry, and the second processing circuitry processing at least one of digital images and web content (i.e., Internet download) (col. 10, lines 40-47).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vannatta, in view of Lee et al: ("Lee"), U.S. Patent No. 5,873,045.

Regarding claim 39, Vannatta discloses the communication assembly as defined in claim 37. Vannatta fails to explicitly disclose wherein the digital circuitry comprises a second microprocessor, the data bus connected between the first and second microprocessors when the apparatus is coupled to the wireless communication device.

In a similar field of endeavor, Lee is evidence wherein the digital circuitry comprises a second microprocessor, the data bus connected between the first and second microprocessors when the apparatus is coupled to the wireless communication device (see Fig. 5, #69 and #30 and col. 6, lines 51-62).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have provided a second microprocessor in the module 108 for the purpose of allowing further

processing of various signals, e.g.., control of power supply, within module 108, independent of connection to module 106.

Motivation for doing so, would have been for the purpose of provide a peripheral microcontroller as taught in Lee for the same (col. 6, lines 6,lines 51-62).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is (703) 308-0149. The Examiner can normally be reached between 5:30 a.m. and 2:00 p.m., Monday- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703)305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-4700

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or:

(703) 872-9314 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Joy K. Contee

March 8, 2003

TRACY LEGREE
PRIMARY EXAMINER